

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
DAVENPORT DIVISION

CALVIN HAMMOCK,

Plaintiff,

v.

NASA HEADQUARTERS, CHARLES
BOLDEN ADMINISTRATOR;
DEPARTMENT OF DEFENSE,
SECRETARY OF DEFENSE; SPACE
EXPLORATION TECHNOLOGIES SPACE
X; APPLE; BLACKBERRY (CURVE)
CORPORATION; VIRGIN MOBILE;
MEDIACOM WIFI; AMERICAN WATER
IOWA; ANY YET UN-IDENTIFIED
ENTITIES, PERSONS, SATELLITES,
GOVT. AGENCIES, GOVT.
TECHNOLOGIES, INTER AGENCIES,
FUSION CENTER PARTICIPANT
PARTNERS CORPORATIONS,
COMPANIES, SOFTWARE USED BY
AND WITH STATE ACTORS AND
TEMPORARY STATE ACTORS,

Defendants.

Case No. 3:15-cv-111-CRW-CFB


**DEFENDANT VIRGIN MOBILE'S
MOTION TO DISMISS**

Defendant, Virgin Mobile,¹ by and through the undersigned counsel, hereby moves to dismiss Plaintiff's Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). As more fully explained in the Memorandum filed herewith, Plaintiff's Complaint should be dismissed because not only does the Complaint fail to set forth enough facts to state a claim for relief that is plausible on its face, but Plaintiff's claims also are essentially fictitious. For the foregoing reasons, Defendant Virgin Mobile respectfully requests that its Motion be granted.

¹ The proper legal name is Virgin Mobile USA, L.P. By filing this Motion, Defendant does not waive any objections and defense it has to whether Plaintiff named the proper party.

Respectfully submitted,

BELIN McCORMICK, P.C.

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ATTORNEYS FOR DEFENDANT VIRGIN
MOBILE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon the parties to this action by serving a copy upon each party listed below on December 8, 2015, by

☒ Electronic Filing System ☒ Other u.s. mail

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